

MINUTES  
BOARD OF SUPERVISORS  
COUNTY OF YORK

Regular Meeting  
March 1, 2005

6:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 6:00 p.m., Tuesday, March 1, 2005, in the East Room, York Hall, by Chairman James S. Burgett.

Attendance. The following members of the Board of Supervisors were present: Sheila S. Noll, Kenneth L. Bowman, James S. Burgett, and Thomas G. Shepperd, Jr.

Walter C. Zaremba was absent.

Also in attendance were James O. McReynolds, County Administrator; J. Mark Carter, Assistant County Administrator; and James E. Barnett, County Attorney.

**WORK SESSION**

**PRESENTATION OF PROPOSED FISCAL YEAR 2006 BUDGET**

Mr. McReynolds presented to the Board of Supervisors the proposed FY2006 Budget, stating it is a policy document that sets tax rates and authorizes spending, and it is a financial planning tool required to help the County meet the state balanced budget requirement. He then reviewed the significant factors influencing the General Fund budget which include:

- Increase in demand for services
- Population growth
- No tax rate changes

He next reviewed the service indicators and how they have increased over the past 10 years. The rate of population growth in the County is expected to grow by about 2 percent from FY2005 to FY2006. This lower population growth is the result of the steps taken by the Board to manage growth through changes in the zoning densities that will lower the County's ultimate population to approximately 80,000. School enrollment will see a small increase of approximately 100 students for FY2006 to about 12,700. He next discussed the projected General Fund expenditure budget that includes an increase of \$7.18 million or 7.5 percent over FY2005. The highlights of the proposed FY2006 budget are:

- No tax rate increases

- An increase of 7.5 percent in County funding for School operations

- The addition of 11.5 new positions to meet the growing demand for County services

- An adjustment of 2.25 percent to the County's pay plan

- Funding to continue the drainage improvements program adopted by the Board

- Capital expenditures to continue ongoing projects and provide for the renovations of York High School and the School Board offices

Mr. McReynolds stated that education is by far the largest single expenditure and priority in

the General Fund taking 46 percent of its total. The recommended budget proposes an increase of \$2,593,000, or 7.5 percent, in the County contribution for School Operations, as well as a \$270,465 increase for School Debt to cover the cost of borrowings to fund school renovation and construction projects. Mr. McReynolds noted that the proposed budget includes a recommendation for 11.5 new positions to meet the growing demand for County services. He then discussed compensation cost increases, noting a 2.25 percent market adjustment is recommended. FY2006 total personnel costs are expected to be \$33.7 million, an increase of \$2.2 million. He then briefly reviewed the non-personnel increase amounting to \$1.27 million.

He reviewed Capital Improvements/Debt, stating that total expenditures for FY2006 in this area includes \$81,000 for the replacement of equipment, \$433,000 for maintenance and renovation projects, \$590,000 for transportation enhancements, \$150,000 for drainage improvements, and \$130,000 for environmental enhancements and underground utilities. He also noted that the FY2006 capital budget includes \$5 million from capital reserves for an athletic field complex. Mr. McReynolds then reviewed the revenue side of the budget, stating revenues are expected to grow to over \$102 million. In summary, Mr. McReynolds stated that York County has a tradition of fiscal conservatism that has served it well and is in an excellent financial position with the resources necessary for sound fiscal management. He stated that over the past years growth in demand for services, additional spending for schools, other programs, and declining federal and state support have greatly raised the demand on County resources, yet the proposed budget maintains tax rates at their current levels.

Chairman Burgett noted that Mr. McReynolds' presentation discussed percentages, and he asked staff to provide the actual numbers on the different service indicators.

Mrs. Noll stated the Board was very happy that the commercial base is up over 50 percent.

Mr. Shepperd asked if the Board would be looking at the contributions made to various organizations during a future work session.

Mr. McReynolds indicated yes, that staff hopes to find out at this work session which topics the Board wishes to cover during the future work sessions.

Mrs. Noll stated that the funding of the school budget is a topic for a work session. She stated it would be receiving more this year from the state, and the Board should know how that would impact the budget.

A brief discussion took place concerning the School Division's budget.

Chairman Burgett asked Mrs. White to review the materials staff had distributed regarding the schools.

Mrs. Carol White, Director of Financial and Management Services, reviewed the FY2006 Education Funding/Revenue Summary, noting the School Division was expecting a \$2.5 million increase in state revenues. Federal revenues should be an increase of about \$1.8 million, and the local funding will increase by \$2.59 million. She then reviewed the other revenues including School Food Service, Capital Improvements Program, and Debt Service. Mrs. White then reviewed the expenditure side with the personnel cost at \$86.8 million.

Chairman Burgett asked if the figure included the pay increase.

Mrs. White noted it did, as well as the new additional teachers and administrative staff. She stated there were no changes in School Food and Capital Funds. Altogether local support for schools is \$43,375,901 or \$3,415 per student.

Discussion followed on impact aid and the federal government's lack of providing impact aid funding according to its own formula.

Mrs. White stated the last page of the handout was a comparison with the County's neighbors in terms of nominal tax rate for real and personal tax rates and effective or true tax rate. The rest of the package covered revenues and expenditures broken out several ways and the major changes from current year to 2006.

Mrs. Noll indicated she felt need of more time to read the information that was distributed.

Mr. Shepperd stated he would like to have discussion on the boat and recreational vehicle tax rates and address it for this budget.

Chairman Burgett indicated the Board would like to discuss employee compensation, contributions, and the boat and recreational vehicle tax rates.

Mr. Bowman asked if the Board was going to discuss the current real estate tax rate.

Chairman Burgett stated it would not, that perhaps next year it would because of the County's excellent economic development position.

Discussion ensued concerning the current economy in terms of real estate growth and increased revenue from it next year. The Board also discussed the possibility of a reduction in force by the military bases.

### **CONSENT CALENDAR**

Mrs. Noll moved that the Consent Calendar be approved as submitted, Item Nos. 1, 2, 3, and 4, respectively.

On roll call the vote was:

Yea:	(4)	Noll, Bowman, Shepperd, Burgett
Nay:	(0)	

Thereupon, the following minutes were approved and resolutions adopted:

#### **Item No. 1. APPROVAL OF MINUTES**

The minutes of the February 8, 2005, Adjourned Meeting were approved.

#### **Item No. 2. PURCHASE AUTHORIZATION: Resolution R05-33**

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO EXECUTE CONTRACTS FOR DESIGN OF A SANITARY  
SEWER SYSTEM FOR YORK POINT, FOR DESIGN OF MOORE'S  
CREEK DRAINAGE IMPROVEMENTS (PHASE II) AND FOR THE  
PURCHASE OF PROTECTIVE CLOTHING

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$30,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurements are necessary and desirable, they involve the expenditure of \$30,000 or more, and that all applicable laws, ordinances, and regulations have been complied with;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this

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1st day of March, 2005, that the County Administrator be, and hereby is, authorized to execute procurement arrangements for the following:

	<u>AMOUNT</u>
York Point Sanitary Sewer Project	\$ 527,606
Moore's Creek Drainage Improvements Phase II	140,466
Protective Clothing	66,150

Item No. 3. STREET ACCEPTANCE: Resolution R05-29

A RESOLUTION REQUESTING THE VIRGINIA DEPARTMENT OF  
TRANSPORTATION TO INCLUDE COMMONWEALTH DRIVE  
(STATE ROUTE 1839) INTO THE SECONDARY SYSTEM OF STATE  
HIGHWAYS

WHEREAS, the following street, which is shown on a plat recorded in the Clerk's Office of the Circuit Court of York County, has been constructed to standards equal to the Virginia Department of Transportation's Subdivision Street Requirements as a requisite for acceptance for maintenance as part of the Secondary System of State Highways; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has inspected this street and found it to be acceptable for maintenance; and

WHEREAS, the York County Board of Supervisors does hereby guarantee unencumbered rights of way, as described on the following Form SR-5A, plus the necessary easements for cuts, fills, and drainage for this street;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 1st day of March, 2005, that the Virginia Department of Transportation be, and it hereby is, requested to add and maintain the street described on the following Form SR-5A as part of the Secondary System of State Highways, pursuant to Section 33.1-229, Code of Virginia, 1950 amended, and the regulatory requirements of VDOT.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the developer of the extension of Commonwealth Drive and to the Resident Engineer of the Virginia Department of Transportation.

**In the County of York**

By resolution of the governing body adopted March 1, 2005

***The following Form SR-5A is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.***

**Report of Changes in the Secondary System of State Highways**

Form SR-5A  
Secondary Roads Division 5/1/99

**Project/Subdivision  
Commonwealth Drive**

Type of Change: **Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested, the right of way for which, including additional easements for drainage as required, is guaranteed:

Reason for Change: Addition, New subdivision street  
Pursuant to Code of Virginia Statute: **§33.1-229**

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**Route Number and/or Street Name**

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**Commonwealth Drive, State Route Number 1839**

*Description: From:* 0.38 Mile Southeast of Route 171 (Victory Boulevard)

*To:* 0.09 Mile Southeast to temporary cul-de-sac

A distance of: 0.09 mile.

*Right of Way Record:* Filed with the Clerk of the Circuit Court on 1/30/1996, Deed Book 880, Pages 466-470, with a width of 90'

Item No. 4. SPONSOR ZONING TEXT AMENDMENT: Resolution R05-36

A RESOLUTION TO SPONSOR AN APPLICATION TO AMEND CHAPTER 24.1, ZONING, YORK COUNTY CODE, TO ALLOW CONSIDERATION OF A SERIES OF PROPOSED REVISIONS TO VARIOUS SECTIONS OF THE ZONING ORDINANCE TEXT AND SEVERAL AMENDMENTS TO THE ZONING MAP, AND TO CONSIDER A COMPANION AMENDMENT PROPOSAL TO ESTABLISH A NEW SECTION 23.2, CHESAPEAKE BAY PRESERVATION AREAS, OF THE YORK COUNTY CODE

WHEREAS, Chapter 24.1, Zoning, of the York County Code was adopted on June 28, 1995, and it has come to the attention of the Board of Supervisors that certain sections and provisions are in need of clarification and adjustment; and

WHEREAS, the suggested revisions are outlined in the County Administrator's report to the Board dated February 7, 2005; and

WHEREAS, in the interest of good zoning practice, the Board wishes to sponsor an application to allow these proposed amendments to be reviewed and considered in accordance with applicable procedures for zoning ordinance text and map amendments;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 1st day of March, 2005, that it does hereby sponsor an application for amendment of various sections of Chapter 24.1, Zoning, of the York County Code as described in the County Administrator's report to the Board dated February 7, 2005.

BE IT FURTHER RESOLVED that the proposed package of Code amendments to be considered shall also include the proposal to establish a new Chapter 23.2, Chesapeake Bay Preservation Areas, of the York County Code.

BE IT STILL FURTHER RESOLVED that the proposed amendments be, and they hereby are, referred to the York County Planning Commission for review, public hearing, and recommendation in accordance with applicable procedures.

**OPEN DISCUSSION**

Mr. Shepperd stated he would be holding a Town Hall Meeting on March 30. He then noted the Watermen's Museum is in a bind financially. He stated he had discussed the matter briefly with Mr. McReynolds, and he suggested that if any money from the current budget could be made available to help the Museum through this crisis, it should be given with some stipulations. He noted the Museum's visitor participation had dropped off by two-thirds because of the closed road due to the Riverwalk construction. Mr. Shepperd stated \$30,000 is needed to

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help the Museum, and he would recommend it only if a spending plan was submitted with the request.

Chairman Burgett indicated the Board needed to discuss this matter when it discussed contributions, and he asked if the Museum had requested anything. He agreed that the Board would need to know how the money would be used.

Mr. McReynolds stated with the Board's permission he would contact the Museum and ask for a proposal and explain that there would be stipulations before the Board would consider any request.

Mrs. White informed the Board that the Museum has a request for tourism funds in 2005, but this would not be funded until the end of the fiscal year.

Mr. Bowman brought the Board of Supervisors up to date on the Comprehensive Plan Steering Committee. He noted there were two meetings last week, and the committee received lots of good information from presentations as well as from citizen input. He then noted he had attended an open house at Dominion Power for the Waterview residents, and stated Dominion Power has a very good corporate relationship with the residents. Mr. Bowman stated that this Saturday the DARE Festival would take place at the Grafton High/Middle School complex. On Tuesday, March 8, from 4:00 p.m. to 7:00 p.m. VDOT will conduct its forum outlining the plan for widening Route 17 between Wolf Trap Road and Route 134. Mr. Bowman also noted that Great Wolf Lodge would open this month, and it has something in excess of over 3,000 reservations already.

Mrs. Noll stated she attended the tourism meeting in Williamsburg and was encouraged by the new advertising being done which has lots of energy. The new advertising is targeting New York, Philadelphia, and Washington, DC. Mrs. Noll stated everyone was very excited about Great Wolf Lodge.

Chairman Burgett asked if the proposed budget was on the Internet.

Mrs. White stated it would be available to the public on the Internet tomorrow.

**CLOSED MEETING.** At 7:07 p.m. Mrs. Noll moved that the meeting be convened in Closed Meeting pursuant to Section 2.2-3711(a)(1) of the Code of Virginia pertaining to appointments to Boards and Commissions.

On roll call the vote was:

Yea: (4) Bowman, Shepperd, Noll, Burgett  
Nay: (0)

Meeting Reconvened. At 7:18 p.m. the meeting was reconvened in open session by order of the Chair.

Mrs. Noll moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREE-  
DOM OF INFORMATION ACT REGARDING MEETING IN CLOSED  
MEETING

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the

Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 1st day of March, 2005, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (4) Shepperd, Noll, Bowman, Burgett  
Nay: (0)

APPOINTMENT TO THE HISTORIC TRIANGLE BICYCLE ADVISORY COMMITTEE

Mr. Bowman moved the adoption of proposed Resolution R05-32 that reads:

A RESOLUTION TO APPOINT A MEMBER TO THE HISTORIC TRIANGLE BICYCLE ADVISORY COMMITTEE

WHEREAS, Paul L. Moses' term on the Historic Triangle Bicycle Advisory Committee has expired and the Board wishes to appoint a citizen to serve on this committee;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 1st day of March, 2005, that the following individual be, and is hereby, appointed to serve on the Historic Triangle Bicycle Advisory Committee for a term to begin March 1, 2005, and expire on March 1, 2008:

Paul L. Moses

On roll call the vote was:

Yea: (4) Noll, Bowman, Shepperd, Burgett  
Nay: (0)

APPOINTMENT TO THE HISTORIC YORKTOWN DESIGN COMMITTEE

Mrs. Noll moved the adoption of proposed Resolution R05-7 that reads:

A RESOLUTION TO APPOINT AN ALTERNATE MEMBER TO THE HISTORIC YORKTOWN DESIGN COMMITTEE

WHEREAS, the Board of Supervisors has established the Yorktown Historic District and the Yorktown Design Guidelines, both of which became effective as of June 1, 2004; and

WHEREAS, the Yorktown Historic District Design Guidelines are administered by the 3-member Historic Yorktown Design Committee (HYDC); and

WHEREAS, the Alternate Member position is vacant and the Board wishes to appoint a replacement member to serve the remainder of the unexpired term.

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NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 1st day of March, 2005, that the following individual is hereby appointed to serve as an Alternate Member on the Historic Yorktown Design Committee for the specified term:

David R. Douglas      (Alternate) - term expiring May 31, 2006

On roll call the vote was:

Yea:    (4)      Bowman, Shepperd, Noll, Burgett

Nay:    (0)

Meeting Adjourned. At 7:20 p.m. Chairman Burgett declared the meeting adjourned to 6:00 p.m., Tuesday, March 8, 2005, in the East Room, York Hall, for the purpose of conducting a work session.

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James O. McReynolds, Clerk  
York County Board of Supervisors

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James S. Burgett, Chairman  
York County Board of Supervisors